

REMARKS

Claims 1-23 are pending. By this Response, claims 1, 8 and 15 are amended. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

The Office Action rejects claims 1-23 under 35 U.S.C. §112, first paragraph for failing to comply with the written description requirement. This rejection is respectfully traversed.

Applicants note that in embodiments of the present invention the photographer selects a shooting mode where based on the selected mode the device (i.e. camera) performs operations based on predetermined conditions associated with the selected mode. Thus, the selection of a mode is not considered a predetermined condition. The specification is clear on this teaching. See pages 19-24.

Further, in consideration of the Advisory Action dated November 2, 2005 the term “solely” has been removed from the claims to address the concern with this term.

Applicants have amended the claims to clarify the claim language to remove any ambiguity that may have arisen due to particular language previously recited. The current language of claim 1 recites, inter alia, "the program logic in accordance with predetermined conditions stored in the memory, the predetermined conditions having been set in advance, determines a start point of a search for an in-focus position of an image on the imaging position, and controls operation of the motor to move the focusing lens to the start point, and to move the focusing lens from the start point until an in-focus position is reached based on analyzing the electronic information received from the sensor.

Claim 8 recites, inter alia, "determining, in accordance with predetermined conditions, the predetermined conditions having been set in advance, a start point from which to move the focusing lens along the optical access and searching for an in-focus position.

Claim 15 recites, inter alia, "determining, in accordance with predetermined conditions, the predetermined conditions having been set in advance, a start point from which to move the focusing lens along the optical access and searching for an in-focus position.

As noted above, the claim language defines a predetermined condition as being set in advance and for solely being relied upon to perform certain recited operations.

Applicants respectfully submit that the claim language currently recited in independent claims 1, 8 and 15 complies with the written description requirement. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

For the above reasons, applicants respectfully submit that claims 1-23 are in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that the current claim language does not address the §112, first paragraph rejection, the Examiner is requested to contact applicant's representative in order to discuss this issue so as to help advance prosecution.

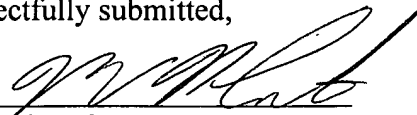
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

By 

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